

RECEIVED

MAY 25 2001

ATTORNEY'S DOCKET NO: C1039/7021

TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant:
Serial No:
Filed:
For:

Krieg et al.
09/337,619
June 21, 1999
METHODS FOR TREATING CANCER USING
IMMUNOSTIMULATORY OLIGONUCLEOTIDES

Examiner:
Art Unit:

J. Martinell
1633

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, Washington, D.C. 20231, on the 17 day of May, 2001.

Helen C. Lockhart

Commissioner for Patents
Washington, D.C. 20231

**STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311.

The fee of \$180 as set forth in 37 C.F.R. §1.17(p) is enclosed.

PART II: - Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

05/23/2001 SDENB0B1 00000043 09337619

534074.1

01 FC:126

180.00 OP

PART III: Remarks

A copy of each of the above-identified information is enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,
Krieg et al., Applicant(s)

By: 
Helen C. Lockhart, Reg No. 39,248
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, MA 02210
Telephone (617) 720-3500

Docket No. C1039/7021
Dated: May 2001
XNDD